REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-16 are pending in the present application. Claims 6, 10, 11, 14 and 16 are amended by the present amendment. Support for the amended claims can be found at least at Figs. 2-3 and p. 10 of the originally filed disclosure. No new matter is presented.

In the Office Action, Claims 6, 10, 11, 14, and 16 are rejected under 35 U.S.C. § 101; and Claims 1-16 are rejected under 35 U.S.C. § 103(a) as unpatentable over Hashizume et al. (U.S. 2003/0142955, herein Hashizume) in view of Smith et al. (U.S. 5,822,542, herein Smith), Seo (U.S. 6,798,980) and Epstein (U.S. Pat. 6,601,046).

As an initial matter, Applicants appreciatively acknowledge the courtesy extended by Examiner Atala in holding a personal interview with the undersigned on June 22, 2010. During the interview, an overview of the invention was presented and the claims were discussed in view of the applied references. As indicated in the Interview Summary, "Agreement was reached regarding prior art of record failing to disclose 'automatically displaying a plurality of options to be selected based on a result of the determining step prior to copying the image information recorded on the first recording medium onto the second recording medium". A summary of the arguments presented during the interview are outlined below.

The Office Action rejects Claims 6, 10, 11, 14 and 16 under 35 U.S.C. § 101, asserting that these claims are may be directed to a "signal per se". In response, Claims 6, 10, 11, 14 and 16 are amended to recite a "non-transitory program storage medium" to clarify that these claims can not reasonably be construed as covering a "signal per se", as asserted in the outstanding Office Action.

Accordingly, Applicants respectfully request that the outstanding rejection of Claims 6, 10, 11, 14 and 16 under 35 U.S.C. § 101 be withdrawn.

The Office Action rejects Claims 1-16 under 35 U.S.C. § 103(a) as unpatentable over Hashizume in view of Smith, Seo and Epstein. Applicants respectfully traverse this rejection, as independent Claims 1, 5 and 6 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1, for example, recites, in part, an information processing apparatus capable of copying image information recorded on a first recording medium onto a second recording medium, comprising:

> ... moving means for selecting and moving one of the at least one image information icon in the copying operation window to the second icon;
> determining means for determining if the moving means moves the one of the at least one image information icon to the second icon;
> means for ***automatically displaying a plurality options to be selected based on a result of the determining means prior to copying the image information recorded on the first recording medium onto the second recording medium***;
> first setting means for setting whether a data format of the image information determined as an object of copying by the moving means should be converted ***based on a selection received responsive to the displayed plurality of options*** ...

Independent Claims 5-6, while directed to alternative embodiments, are amended to recite similar features.

At p. 5, the Office Action concedes that Hashizume, fails to teach or suggest the above-emphasized claimed features directed to "automatically displaying a plurality of options..." In an attempt to remedy this deficiency, p. 7 of the Office Action relies on Fig. 2 and col. 6, l. 65 – col. 7, l. 67 of Epstein as describing "the ability for the user to determine what recording medium to have the contents recorded to based on guidelines provided by the system and that of the user."

However, merely determining what recording medium the content is recorded to is not the same as "***automatically displaying a plurality options to be selected based on a result of the determining means prior to copying the image information recorded on the first recording medium onto the second recording medium***", as recited in independent Claim 1.

More specifically, the passages of Epstein cited in the Office Action describe that the usage of copyrighted content is controlled based on a ticket corresponding to the content that dictates the usage rules corresponding to the content. Thus, when a user wishes to record this content, the usage rules are checked to determine if the copying operation is authorized.

At no point during a copying operation, however, does Epstein teach or suggest "***automatically displaying a plurality options to be selected based on a result of the determining means prior to copying the image information recorded on the first recording medium onto the second recording medium***", as recited in independent Claim 1.

Further, neither Smith nor Seo remedy the above noted deficiencies of Hashizume and Epstein.

Accordingly, for at least the reasons discussed above, Applicants respectfully request that the rejection of Claims 1, 5 and 6 (and the claims that depend therefrom) under 35 U.S.C. § 103 be withdrawn.

Moreover, Applicants respectfully submit that the applied references, neither alone, nor in combination, teach or suggest the more detailed features of the automatic display, as recited in dependent Claims 4, 15 and 16, which recite "setting whether the image information of an original determined as the object of copying should be deleted ***based on a selection received responsive to the displayed plurality of options***" and "either deleting or placing into a disabled state the image information of the original of the object of copying recorded on the first recording medium after the processing of said writing means is completed based on the setting whether the image should be deleted".

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-16 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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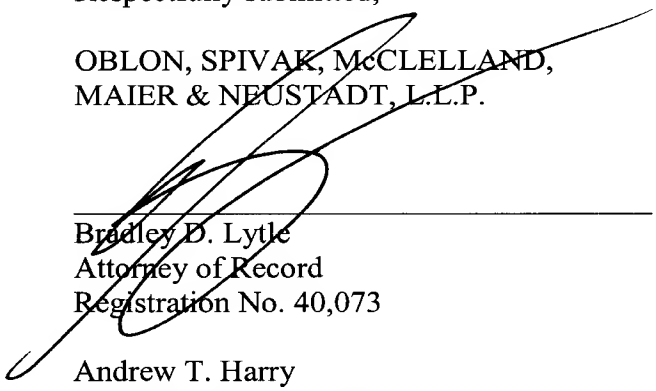

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